IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE B. SESHASAYANA REDDY

WRIT PETITION NO : 20324 of 2003

Between:

Shaik Madar, S/o. Late Shaik Chand
R/o. Alladurg, Medak Dist.

..... PETITIONER

AND

1. The Sub-Divisional Inspector of Post Offices,

Sangareddy Division, Sangareddy, Medak Dist.

2 The Sub-Post Master, Alladurg,

Sangareddy Division, Medak Dist.

..... RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Certiorari or any other appropriate writ, direction or order calling for the records relating to and connected with the Order dated 26-11-2002 in O.A. No. 1269/2001 passed by the Hon'ble Central Administrative Tribunal, Hyderabad Bench and the subsequent order dated 21-7-2003 in Review SR No.111 of 2003 in O.A.No.1269 of 2001 on the file of the said Tribunal and quash the same as they are contrary to the facts of the case and consequently direct the Respondents to appoint me as E.D.Mail Carrier on compassionate grounds in the light of the clarification issued by the Government of India, Department of posts in No.24-1/99-SPB-1, dated 26-4-2001.

Counsel for the Petitioner: MRS.J.SUBBALAXMI

Counsel for the Respondents: MR.A.RAJASHEKAR REDDY

(SC FOR Central Govt.)

The Court at the stage of admission made the following:

W.P.No.20324 of 2003

ORDER **(per the Hon'ble Sri Justice J. Chelameswar)**:

This Writ Petition is filed aggrieved by the order of the Central Administrative Tribunal, Hyderabad Bench in M.A.No.272 of 2003 in R.A. (SR) No. 1111 of 2003, dated 21-07-2003.

The applicant's father was working in the postal department. He was discharged from service on the ground of medical invalidation on 10-11-1999. It appears that the applicant-petitioner made a representation to the respondents to provide employment to him taking a compensate view of the matter, in view of discharge of his father from service. As the said application was not considered by the respondents, the petitioner approached the Central Administrative Tribunal by filing O.A.No.1269 of 2001, which was dismissed by the Central Administrative Tribunal by order dated 26-11-2002 following a Full Bench decision of this Court in ***Government of Andhra Pradesh vs. D. Gopaiah and others***. It was held in the above-mentioned judgment that providing employment to the family members of the employees, who had been discharged on the ground of medical invalidation would be inconsistent with the provisions of the Article 16 of the Constitution of India.

Thereafter, the petitioner filed an application to review the above-mentioned order, dated 26-11-2002, with a delay of 125 days. Seeking condonation of the said delay, M.A.No.272 of 2003, which is subject matter of the Writ Petition No.20324 of

2003, was filed. The Tribunal declined to condone the delay. It was also recorded that in view of the Full Bench of this Court, there are no merits in the review application. Hence, the present Writ Petition.

Heard the learned counsel for the applicant-petitioner.

We do not find any error of jurisdiction or illegality in the impugned order. The issues involved in this writ petition are squarely covered by the Full Bench of this Court referred to above. We see no merits in the Writ Petition.

Accordingly, the Writ Petition is dismissed at the stage of admission. No costs.

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J. CHELAMESWAR, J

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B. SESHASAYANA REDDY, J

13th September, 2004

lsn

To

1. The Sub-Divisional Inspector of Post Offices,

Sangareddy Division, Sangareddy, Medak Dist.

2 The Sub-Post Master, Alladurg,

Sangareddy Division, Medak Dist.

3. Two CD copies.